

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

UNITED STATES OF AMERICA *

vs. *

RICARDO KIOWA GONZALES, *

Defendant/Petitioner *

CASE NO. 4:02-CR-8 (CDL)

O R D E R

Petitioner, Ricardo Kiowa Gonzales, has filed a motion to proceed *in forma pauperis* on appeal from the Court's Order adopting the Magistrate Judge's Report and Recommendation filed May 5, 2005, and denying Petitioner's Motion for Appointment of Counsel. In the Court's best judgment, an appeal from that Order cannot be taken in good faith. 28 U.S.C. §1915(a)(3).

Accordingly, having been carefully considered, Petitioner's motion to proceed *in forma pauperis* on appeal (Doc. 41) is hereby denied. Petitioner's "Request for Government Payment of Transcript" (Doc. 43) is also denied.

IT IS SO ORDERED, this 26th day of October, 2005.

/s/Clay D. Land

CLAY D. LAND
UNITED STATES DISTRICT JUDGE